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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
'08 JUN 16 AM 10: 22
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
DEPUTY

'08 MJ 1849

UNITED STATES OF AMERICA, Plaintiff, v. **Rigo TIRADO-Lopez,** Defendant	Magistrate Docket No. COMPLAINT FOR VIOLATION OF: Title 8, U.S.C., Section 1326 Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about **June 13, 2008** within the Southern District of California, defendant, **Rigo TIRADO-Lopez,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **16th** DAY OF **JUNE, 2008**

Nita L. Stormes
UNITED STATES MAGISTRATE JUDGE

NC

CONTINUATION OF COMPLAINT:
Rigo TIRADO-Lopez

PROBABLE CAUSE STATEMENT

I declare under the penalty of perjury that the following statement is true and correct:

On June 13, 2008, Senior Patrol Agent C. Weatherred was patrolling State Route 94, near Tecate, California. This area is approximately five and a half miles west of the Tecate, California Port of Entry and three and a half miles north of the International Boundary with Mexico. At approximately 6:25 P.M., Agent Weatherred was advised by Sector Communications of possible illegal alien activity in his area of responsibility. After searching a nearby draw, Agent Weatherred spotted and approached three individuals concealing themselves in the surrounding brush. Agent Weatherred identified himself as a Border Patrol Agent, and conducted a field immigration interview on the group. All of the individuals including one later identified as the defendant **Rigo TIRADO-Lopez**, , freely admitted to being citizens and nationals of Mexico, not in possession of any immigration documents allowing them to legally enter or remain in the United States. The defendant and the other suspects were placed under arrest and transported to the Brown Field Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **May 08, 2008** through **San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

At the station, after receiving his Miranda Warning, the defendant stated that he understood his rights and was willing to make a statement without a lawyer present. The defendant again stated that he illegally entered the United States. The defendant also stated that he walked across the international border and made his way north into the United States until Agent Weatherred arrested him. The defendant also again stated that he does not have any immigration documents that would allow him to legally enter or remain in the United States.

Executed on June 14, 2008 at 9:00 a.m.

Irene S. Aguirre
Senior Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of **1** page(s), I find probable cause to believe that the defendant named in this probable cause statement committed the offense on **June 13, 2008**, in violation of Title **8**, United States Code, Section **1326**.

Peter C. Lewis
United States Magistrate Judge

6-14-08 @ 9:42a.m.
Date/Time